

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

CARLOS A. GARCIA PEREZ, ET AL	*	CIVIL NO. 97-1703 (JAG)
	*	
Plaintiffs	*	
	*	
v.	*	
	*	
ALVARO SANTAELLA, ET AL	*	
	*	
Defendants	*	
-----	*	

MOTION DEPOSITING SETTLEMENT FUNDS

TO THE HONORABLE COURT:

Comes now codefendant Guaranty Association of Miscellaneous Insurance of Puerto Rico, hereinafter referred to as “the Association” on behalf and in the interest of Dr. María Casado García, through the undersigned attorneys and states and prays as follows:

1. That the parties to this litigation filed a “Joint Stipulation for Voluntary Dismissal of all claims with Prejudice” and a “Confidential Settlement Agreement and Release of all Claims”, signed by all parties on or around May 31<sup>st</sup>, 2005.

2. Pursuant to the aforementioned documents, plaintiffs released and discharged defendants of all claims, losses, demands, obligations and causes of action arising or which might arise from the facts in the present litigation in consideration of

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payment by defendants to plaintiffs of the sum specified in the aforementioned documents.

3. Of said amount the Association agreed to pay to plaintiffs the sum of \$435,000.00 on behalf of it's insured Dr. María I. Casado García to be deposited at the office of the Clerk of this Court.

4. On June 23, 2005 the Court entered an Order dismissing plaintiff's claims with prejudice in view of settlement and judgment to said effects.

5. On this date and together with the present motion the appearing party is enclosing check number 032140 issued by the Association in the amount of \$435,000.00 payable to the Clerk of the United States District Court for the District of Puerto Rico for the benefit of plaintiffs in the above entitled case in full payment and satisfaction of the share or that part of the Stipulation that the Association and Settlement Agreement.

6. In consideration of the fact that the Association has fully satisfied it's share or part of the settlement agreement in this case, it is respectfully requested that this Honorable Court should conclude that the Association has fully complied with it's obligation with regard to the Settlement Agreement.

WHEREFORE, defendant Association requests from the Honorable Court that the enclosed check number 032140 issued by the Association in the amount of

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\$435,000.00 payable to the clerk of this Court be accepted for deposit with the clerk of this Court for the benefit of plaintiffs and that it be resolved that the Association has fully complied with it's obligations pursuant to the settlement Agreement filed by the parties and the order and Judgment entered by this Court on June 23, 2005.

**RESPECTFULLY SUBMITTED.**

I HEREBY CERTIFY that on this same date I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Gilda del Cruz Martínó, Esq., Angel R. De Corral Julia, Esq., Igor Domínguez Pérez, Esq., José L. González Csatañer, Esq., Andrés Guillermand Noble, Esq., Isabel M. Guillen Bermúdez, Esq., Jeannette M. López, Esq., Raphael Peña Ramón, Esq., Doris Quiñones Tridas, Esq., Ricardo L. Rodríguez Padilla, Esq., Roberto Ruiz Comas, Esq., Jian Schlump Peters, Esq., Jaime Sifre Rodríguez, Esq., Pedro Toledo González, Esq., Marta E. Vilá Baez, Esq., Luis V. Villares Sarmiento, Esq., José H. Vivas.

San Juan, Puerto Rico this 29 day of June, 2005.

s/ Alexis D. Mattei Barrios  
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Insurance of Puerto Rico in the interest  
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